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**Applicants** 

Koichi KAWAI et al.

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Examiner

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## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION (37 C.F.R. 1.321(b))

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Sir:

The below-named attorney of record, authorized to act on the behalf of the assignee of record owning a 100% interest in the instant application, hereby disclaims the

terminal part of the entire patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of United States Patent No. 6,661,706, and hereby agrees that any patent so granted shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,661,706. This agreement is to run with any patent granted on said application and to be binding upon the grantee, its successors or assigns. Title to the present application is in Toshiba, a corporation of Japan, by virtue of an assignment from the inventors of the parent application, from which the present application is a continuation. The assignment was recorded in the Patent and Trademark Office on July 12, 2002 at Reel 013112, Frame 0861.

The evidentiary documents accompanying or referred to in this Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignees seeking to take action.

The below-named attorney of record does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of United States Patent No. 6,661,706 in the event that: said patent 6,661,706, later expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a); has all claims canceled by a reexamination certificate; or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

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The Assistant Commissioner is authorized to charge the amount of \$130.00 to Deposit Account 50-0320 to cover the cost of this Terminal Disclaimer.

Respectfully submitted,

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